

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIANG WANG,

Plaintiff,

v.

THE PHILHARMONIC-SYMPHONY SOCIETY OF
NEW YORK, INC., AND ASSOCIATED
MUSICIANS OF GREATER NEW YORK, LOCAL
802, AMERICAN FEDERATION OF MUSICIANS,

Defendants.

1:24-cv-03356-AS

[rel. 1:24-cv-03348-AS,
1:24-cv-03987-AS]

**NOTICE OF DEFENDANT THE
PHILHARMONIC-SYMPHONY
SOCIETY OF NEW YORK, INC.'S
FED. R. CIV. P. 12(b)(6) MOTION
TO DISMISS PLAINTIFF'S
COMPLAINT**

PLEASE TAKE NOTICE, that upon Defendant The Philharmonic-Symphony Society of New York, Inc.'s ("Defendant Society") Memorandum of Law in Support of its Fed. R. Civ. P. 12(b)(6) Motion to Dismiss Plaintiff's Complaint, and the accompanying declaration and exhibits attached thereto, Defendant Society will move this Court, before the Honorable Arun Subramanian, at the United States District Court House, 500 Pearl Street, New York, New York, on a date and time to be designated by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (i) dismissing Counts I, II, III, IV, V, VII, and IX of Plaintiff's Complaint in their entirety with prejudice on grounds that the claims are preempted by Section 301 of the Labor Management Relations Act and/or fail to state a claim upon which relief may be granted; (ii) dismissing Defendant Society from the action in its entirety with prejudice; and (iii) awarding Defendant Society such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1(b) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York,

Plaintiff must serve and file his opposition by June 19, 2024. Defendant Society must serve its reply by June 26, 2024.

Dated: New York, New York
June 5, 2024

Respectfully submitted,

/s/ Howard Z. Robbins
Howard Z. Robbins (Lead Trial Counsel)
Joshua S. Fox
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Telephone: 212.969.3000
Facsimile: 212.969.2900
hrobbins@proskauer.com
jfox@proskauer.com

*Attorneys for Defendant The Philharmonic-
Symphony Society of New York, Inc.*